

STEERING, LEGISLATIVE & GOVERNMENTAL COMMITTEE

May 4, 2009

5:30 p.m.

Courthouse

MINUTES:

MEMBERS PRESENT:

Commissioner Jack Black
Commissioner Adam Coggin
Commissioner Gary Farley
Commissioner Jeff Jordan
Commissioner Jeff Phillips
Commissioner Steve Sandlin
Commissioner John Rodgers, C

OTHERS PRESENT:

Ernest Burgess Lisa Nolen
Sonya Stephenson Susan Allen
Steve Schroeder Joan Hill
Bo Brumfield Ellen Brumfield
Vonda McDaniel Larry Vining
Jim Buckley Lewis Beck
Paul Diamond Becky Shelton

Chairman Rodgers presided and called the meeting to order at 5:30 p.m. with all members being present at that time.

MINUTES:

"Commissioner Coggin moved, seconded by Commissioner Farley, to approve the minutes of the last meeting as mailed. This motion passed unanimously by acclamation."

FILL THREE VACANCIES ON EMERGENCY COMMUNICATIONS BOARD:

Chairman Rodgers advised the positions of the Mayors of Smyrna, LaVergne and Eagleville or their appointed representatives on the Emergency Communications Board needed to be filled.

"Commissioner Sandlin moved, seconded by Commissioner Farley, to approve the appointment of the Mayors of Smyrna, LaVergne and Eagleville or their appointed representatives to the Emergency Communications Board. This motion passed unanimously by acclamation."

ANNOUNCE TWO VACANCIES ON LINEBAUGH LIBRARY BOARD:

Chairman Rodgers advised the positions of Steve Steele and Sherry Carpenter on the Linebaugh Library Board were expiring and accordingly being announced.

RESOLUTION ON THE SPENDING OF FEDERAL ECONOMIC RENEWAL GRANTS IN TENNESSEE:

Chairman Rodgers advised Commissioner Farley had a proposed Resolution on the spending of federal economic renewal grants in Tennessee. Commissioner Farley advised this was being presented at the request of constituents and the Resolution provided if the County accepted stimulus money from the Federal government or State that the County would commit to supporting buying American whenever and wherever possible with any of the economic recovery monies provided to the County. Ms. Joan Hill addressed the Committee in support of the proposed Resolution.

Commissioner Sandlin questioned the accountability as government looks for the best deal with taxpayer dollars. Commissioner Farley advised the County Attorney has reviewed and modified the proposed Resolution in Sections 2 and 3 to address this issue.

Commissioner Phillips inquired if the Resolution would affect construction of the two new schools since the bids have been released and contractors lined up. Mayor Burgess advised the School Board can encourage purchase of American goods but not require the

same. Additionally, no stimulus monies are involved in construction of the new schools. Following discussion,

"Commissioner Farley moved, seconded by Commissioner Sandlin, to approve the Resolution by Government of Rutherford County, Tennessee on the Spending of Federal Economic Renewal Grants in Tennessee and forward the same to the County Commission. This motion passed unanimously by acclamation."

REPORT FROM SUBCOMMITTEE REGARDING OFFICE OF COUNTY ATTORNEY:

Mayor Burgess and Finance Director Nolen next presented a summary of legal fees including salaries, delinquent tax fees, unbilled time, monies paid to outside counsel and the Cope firm from 04/05 to date for the use and information of the Committee.

Chairman Rodgers reminded the Committee a year and a half ago the County Attorney was appointed and the County formed a subcommittee consisting of the Mayor, Commissioner Jim Daniel and himself to review the economics of the department and this information has been gathered and provided to the Committee. Commissioner Rodgers requested the Committee review the information, form questions and determine options and where the County goes from here.

Ms. Nolen reviewed the summary of legal fees advising where the funding comes from and how it is budgeted. Mayor Burgess advised litigation costs are separate and apart from salaries. Additionally, property and casualty claims go largely to other firms and not the Cope firm as directed by CCMSI. Mayor Burgess advised 100% of the litigation will not be able to be handled in-house and there will always be a need from time to time for outside counsel.

Commissioner Sandlin requested a comparison of a hired legal staff versus the current presentation. Mayor Burgess advised he had information from other cities including their budgets and can make a projection on the County's needs.

Mayor Burgess reviewed the Private Act on the County Attorney responsibilities advising the Private Act is very simple but it is not being followed in practice. The Private Act says the County Attorney will render all legal services to the County and the County can hire no other attorneys without Commission approval to pay. The County Attorney has not provided litigation services in years and Mayor Burgess advised he did not know when that decision was made to pay separately for litigation expense.

Commissioner Phillips advised he would like the County Attorney to explain what they do, what the budget covers, etc. and maybe have a County Attorney from another County advise what they do, budget information, how often they have to go outside and for what type issues, etc. Additionally, a presentation from the City of Murfreesboro attorney may be helpful.

Mayor Burgess advised what Rutherford County is experiencing is not typical and the County may can be compared to Hamilton or Knox Counties.

Chairman Rodgers advised they also want to get input from County Attorney Cope on options, pros and cons, etc.

HUMAN RESOURCES EMPLOYEE HANDBOOK REVISIONS:

The Committee had no suggested revisions from the second set of revisions presented last month.

Ms. Stephenson presented the third and final set of

revisions and reviewed the same in depth with the Committee. Ms. Stephenson advised she would have the final product next month.

The Committee asked Ms. Stephenson to electronically provide the revised Employee Handbook to Commissioners in addition to providing the bullet list and paper copy in Commissioners' boxes.

COMPENSATION FOR INSURANCE COMMITTEE:

Mayor Burgess advised with the Commission's approval of payment for the Records Committee, the only remaining Committee with unpaid members is the Insurance Committee which has 4 at large members and 3 Commissioners in addition to the 8 members who are County employees. Mayor Burgess asked if the Committee wanted to pay the 4 or 7 members for their service on the Insurance Committee which meets monthly and is an important committee. Mayor Burgess suggested paying \$100 per meeting like the BZA and other committees advising no statute covers the Insurance Committee and this would be a Commission decision. The 8 employee members would be excluded from compensation because the meetings are held during work hours. Following discussion,

"Commissioner Phillips moved, seconded by Commissioner Coggin, to compensate the 7 non-employee members of the Insurance Committee at \$100 per meeting to be paid out of the Insurance Fund for attendance at Insurance Committee meetings. This motion passed by acclamation with Commissioner Sandlin voting "no"."

STATE LITTER LAW REVIEW:

Mayor Burgess advised per Bart Smith there are substantial fines for littering and public service can be imposed. Mayor Burgess advised he knew of nothing more to report as enforcement is limited but suggested the matter be taken under advisement and let the system proceed.

AGREEMENT WITH MUNICIPALITIES FOR SHARING COST OF EMERGENCY MANAGEMENT DIRECTOR'S SALARY PLUS BENEFITS:

Mayor Burgess advised there is a verbal agreement with Murfreesboro, Smyrna, LaVergne and Eagleville to share in the cost of the EMA Director's salary and benefits but no written documentation can be found officially implementing the agreement. Mayor Burgess advised he was proposing to have the interlocal agreement put in writing and presented a proposed agreement which if approved would be sent to Murfreesboro, Smyrna, LaVergne and Eagleville. Mayor Burgess advised this agreement has been in place for years but the County has been unable to collect from one municipality. Following discussion,

"Commissioner Farley moved, seconded by Commissioner J. Jordan, to approve the Agreement with Murfreesboro, Smyrna, LaVergne and Eagleville to share in the cost of the Emergency Management Director's salary plus benefits. This motion passed unanimously by acclamation."

SCHOOL BOARD USE OF VEHICLE REGISTRATION FOR ENROLLMENT:

Commissioner Farley advised he had previously requested the School Board look at using the wheel tax registration for enrollment of students which was denied by the School Board because the principals thought they had to enforce the same. Commissioner Farley advised this was presented incorrectly because no enforcement is being requested, only that the information be given to the Wheel Tax Officer for enforcement. Commissioner Farley advised when he spoke to several School Board members he was advised this matter will be again presented to the School Board with advice to give the information to

the Wheel Tax Officer for enforcement.

COUNTY CLERK'S REQUIRING PROOF OF RESIDENCY TO BUY TAGS:

Mayor Burgess advised when the proposed law requiring County Clerks to obtain proof of residency was sent to the Legislature, a fiscal note was prepared which advised the cost of said bill was millions so essentially the bill has been killed.

There appearing to be no further business to come before the Committee, Chairman Rodgers declared the meeting adjourned at 7:56 p.m.

JOHN RODGERS, Chairman